UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

- v. - : S6 06 Cr. 1089 (BSJ)

ROBERT DIDONATO, :

Defendant: :

- - - - - - - X

The above-named defendant, who is accused of violating Title 18, United States Code, Section 371 in two counts, being advised of the nature of the charges and of his rights, hereby waives, in open Court, prosecution by indictment and consents that the proceeding may be by information instead of by indictment.

Defendant

Withess

Counsel for Defeadant

Date: New York, New York

July 29, 2008

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